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RUEHLO/AMEMBASSY LONDON 4792  
RUEHNE/AMEMBASSY NEW DELHI 2790  
RUEHNY/AMEMBASSY OSLO 4764  
RUEHKO/AMEMBASSY TOKYO 3866  
RUEHCG/AMCONSUL CHENNAI 9088  
RUEHBI/AMCONSUL MUMBAI 6414  
RUEHON/AMCONSUL TORONTO 0962  
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C O N F I D E N T I A L SECTION 01 OF 04 COLOMBO 000307

SIPDIS

DEPARTMENT FOR SCA/INS

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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [MOPS](#) [PINS](#) [CE](#)

SUBJECT: SRI LANKA: AMBASSADOR PRESSES ON SAFE ZONE  
SHELLING AND MEDICINE; URGES IMPROVEMENT IN HUMAN RIGHTS  
AND OUTREACH TO TAMIL DIASPORA

REF: A. COLOMBO 300

[1](#)B. COLOMBO 288

[1](#)C. COLOMBO 283

[1](#)D. COLOMBO 218

Classified By: Ambassador Robert O. Blake, Jr., for reasons 1.4(b,d).

[1](#)1. (C) SUMMARY: On March 18 Ambassador met with Foreign Minister Bogollagama to urge him to fulfill GSL commitments not to shell the safe zone and to allow medicine to reach civilians trapped there. Ambassador called claims that the army was not shelling the safe zone "not credible" and echoed points made by the Secretary in a March 13 phone call with the President to protect civilians in the safe zone. Ambassador strongly cautioned the government not to enter the safe zone forcibly and said if military offensives produced high levels of civilian casualties the GSL would be accused of war crimes. Ambassador pushed the Foreign Minister to grant ICRC staff entry visas. Ambassador proposed visits by the UN Special Rapporteur on IDPs as well as Tamil journalists to the IDP camps to undercut LTTE propaganda that the facilities were "concentration camps." Ambassador also suggested a coordinated UN-GSL strategy to persuade the LTTE to allow the civilian population to leave the conflict area. The Foreign Minister indicated that APRC recommendations would shortly be shared with the main political parties and relayed news that the government intended to bring together leaders from the Tamil diaspora community in Colombo at the end of March. Ambassador welcomed outreach to the diaspora and also urged the government to improve its human rights record as a necessary component of national reconciliation.  
End Summary

Let Medicine In  
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[1](#)2. (C) In a March 18 discussion with Foreign Minister Rohita Bogollagama, Ambassador began by stressing the immediate steps the government needed to take to fulfill prior GSL commitments to the international community. After reviewing Presidential Advisor Basil Rajapaksa's constructive role

securing World Food Programme (WFP) food shipments to the safe zone, Ambassador noted that no medicine (particularly critically needed anesthetics) has reached civilians trapped in the fighting since February 6 (a small shipment of basic medical supplies such as bandages did reach the safe zone on February 20). Ambassador recounted appalling stories Post has received of amputations and other operations done without anesthetics and stated, "frankly, it's unconscionable" that the Sri Lankan military was still preventing medicine from reaching civilians despite repeated assurances from Basil Rajapaksa that they would be let through. Ambassador noted that he understood the Ministry of Defense's concern that the LTTE would surely take some of the medicine for their own wounded. (Note: ICRC reports that it has been repeated last-minute refusals from the MOD that have prevented recent shipments.) However, Ambassador emphasized that there was a humanitarian medical crisis in the safe zone, the majority of wounded are civilians, and thus it is imperative that the government fulfill its oral commitments and let medicine in.

#### Stop Shelling Safe Zone

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13. (C) Ambassador emphasized that despite assurances from the Defense Secretary (ref C) that the army would not use heavy weapons, Post continues to receive reports of daily shelling, including occasional aerial bombardments within the safe zone. Ambassador agreed that the LTTE is certainly guilty of placing artillery amongst the civilian population and firing out from the safe zone. By firing back into the safe zone,

COLOMBO 00000307 002 OF 004

Ambassador noted that the government was winning the conventional war while losing the public relations war. Echoing points the Secretary made to President Rajapaksa by phone on March 13, Ambassador stressed that it was very important that the army not fire into the safe zone. Bogollagama acknowledged that the GSL was to blame for the poor public relations job it had done over the past few weeks but reiterated points President Rajapaksa made to the Secretary and UNSYG in separate calls that the military was not targeting civilians and not using heavy weapons. The FM asserted that the army was not shelling the safe zone. Ambassador replied that such a claim was simply not credible, given multiple, credible, independent sources on the ground in the safe zone.

#### GSL Must Not Enter Safe Zone Forcibly

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14. (C) Very soon troops would conquer PTK and take all territory outside the safe zone, Ambassador noted. In an earlier meeting, the Defense Secretary (ref C) had committed Sri Lankan troops to taking a passive stance outside the zone when this occurred. Ambassador reiterated to the Foreign Minister the importance of the GSL not trying to forcibly separate the LTTE from civilians in the safe zone. Ambassador recalled continuing reports he has heard that the military intends to take the safe zone by force and told the Foreign Minister that if the government did so thousands, perhaps tens of thousands, could be killed. If such casualties occurred the government would be accused of war crimes and its actions would diminish Congressional and public support for future USG assistance to Sri Lanka. Ambassador urged the Foreign Minister to think "very very carefully" about how the government would proceed once they surrounded the safe zone. Bogollagama indicated that he thought that significant portions of the civilian population would be able to escape the safe zone as the LTTE would not have enough cadres to prevent those who wanted to flee and questioned how we could determine amongst the listed civilian casualties who was a civilian and who was an LTTE cadre in civilian clothes. Ambassador responded that given the GSL's own estimate that only 400-500 LTTE cadres remain, the vast majority of casualties must necessarily be civilian. The Foreign Minister also observed that the LTTE was building

bunkers within the safe zone in preparation for a final stand amongst the civilian population.

#### ICRC Visas

15. (C) Ambassador also raised the issue of the 35 pending visas for ICRC staff to provide short-term surge capacity as well replacements for those staff whose tour is nearing completion in Sri Lanka. ICRC Deputy Country Director Dalziel requested Embassy assistance in securing GSL clearance after repeated delays had held up new staff arriving. The Foreign Minister indicated that he had given clearance for visas for all immediate ICRC staff requirements in the North. When Ambassador inquired whether that meant short-term as well as permanent replacements Bogollagama did not answer directly. The Foreign Minister suggested Ambassador should follow up with the Director General for Multilateral Affairs who has been out of the office but would return on March 20. Ambassador passed the information to the ICRC, who will follow up with the DG on the 20th and inform post if further pressure is needed.

#### Ambassador Offers Proposals to Counter LTTE Propoganda

16. (C) After reviewing the USG's deep concern with the

COLOMBO 00000307 003 OF 004

immediate and near-term situation in the North, the Ambassador suggested steps the government could take to highlight the fact that the LTTE was holding the civilians population hostage in the north and undercut its propoganda about IDP treatment in GSL territory. First, Ambassador suggested the government take the initiative from UNHCHR's statement (ref A) and support a humanitarian pause in fighting to allow those civilians who wanted to leave. If coordinated with the ICRC, individuals within the safe zone could indicate they wanted to leave. If the LTTE prevented civilians from leaving, the move would highlight the Tiger's role trapping tens of thousands in the conflict zone. If the LTTE didn't object then many, perhaps the overwhelming majority of the civilian population, would be able to escape the shelling. (Note: septel will describe this idea in more detail.) Ambassador also suggested that the GSL work to undermine the LTTE's claim that IDPs who had fled the Vanni were in what the LTTE has described as "concentration camps."

Ambassador offered the idea that the GSL could invite Walter Kaelin, the U.N. Special Rappateour for IDPs back to Sri Lanka to visit the camps and give his public assessment. As well, if Tamil journalists from South India were allowed to visit the camps on a fact-finding mission and interview IDPs (in Tamil) the GSL could get the message out to the larger Tamil community in India and overseas that, while overcrowded, IDPs were being treated relatively well and were certainly better off than those trapped in the safe zone. Bogollagama said he was not against the idea of a move to try and evacuate civilians and simply nodded in response to the Kaelin and Tamil journalists proposals.

#### FM: Political Proposals Coming Soon

17. (C) Turning to longer-term issues Ambassador urged the government to consult widely, particularly with Tamils, on political proposals for national reconciliation. The Foreign Minister responded that the government's political proposals would come after the defeat of the LTTE but that the President was already starting the process of consultations. According to Bogollagama, the President sent invitations the night before to all Tamil MPs for a meeting to discuss future political arrangements. The Foreign Minister asked Ambassador to urge Tamil National Alliance leader Sampanthan to attend. The Ambassador agreed the meeting was a welcome step and urged the government to actively listen to Tamil MPs suggestions, not simply dictate what the GSL is prepared to

offer. Bogollagama also indicated that Minister of Science and Technology Tissa Vitharana, who has headed the All Parties Representative Committee (APRC) process, had completed his report and would be entering in to consultations first with the President's Sri Lankan Freedom Party (SLFP) and then the opposition United National Party (UNP) over the APRC's proposals for "maximum devolution within a unitary structure." Bogollagama indicated that Vitharana would propose a second chamber of Parliament, remove cumbersome concurrent lists that complicate center-periphery relations, and propose a "13th Amendment plus" solution that would recommend substantial devolution of powers to the Provincial Councils while maintaining Sri Lanka's unitary state structure. (Comment: the GSL has been promising for more than a year to proceed with the APRC's so the USG should be wary of the Minister's assurance of progress.)

#### Human Rights Improvement Essential for National Reconciliation

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¶8. (C) Ambassador also stressed that for true national reconciliation to occur following the conventional military

COLOMBO 00000307 004 OF 004

defeat of the LTTE the government needed to improve substantially its human rights record. Detailing a culture of fear among journalists and human rights defenders Ambassador pointed to the "white van arrest" of Sudar Oli editor Vithyatharan (ref D) as just one example of a deteriorating human rights record that has overwhelmingly affected the Tamil community. (Note: on March 20 the government produced Vithyatharan in court and announced that the Defense Secretary had authorized the editor to be held for three months while an investigation is conducted.) Ambassador urged the government to end the culture of impunity and bring perpetrators of the numerous disappearances, abductions and extra-judicial killings to justice and emphasized that national human rights institutions needed to be strengthened to ensure their independence. Ambassador highlighted how implementation of the 17th Amendment would be a logical first step to take to empower these institutions. The Foreign Minister unconvincingly replied that many who have left the country were inventing threats against their lives to acquire visas to Western countries and signaled that the Commission of Inquiry would shortly release its findings that would lead to indictments in some of the highest profile human rights cases. (Comment: again, we should be wary of such promises.)

#### GSL Plans to Engage the Tamil Diaspora

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¶9. (C) Bogollagama relayed plans for a late March meeting in Colombo with up to 50 members of the Tamil diaspora at which he, along with Presidential Secretariat Chief (NSA equivalent) Lalith Weeratunga and Vitharana would brief the diaspora leaders on GSL plans for the north. Ambassador welcomed the initiative. Post recommendations on ways to engage the US-based diaspora will be reported septel.

¶10. (C) COMMENT: The Foreign Minister listened attentively to our concerns, particularly on the immediate issues of GSL shelling of the safe zone and lifting the ban on medicine to civilians trapped in the fighting. He thanked the Ambassador for engaging on these issues (e.g. rather than issuing critical public statements). He telephoned the Ambassador later in the day to report he would meet with Defense Secretary Rajapaksa on Friday to discuss the issues raised by the Ambassador. While nationalist politicians and government ministers raised furious objections to Pillay's statement about the possibility of war crimes, the war and the humanitarian crisis in the north has gotten little attention in the Sinhalese language press or on television. The President's genuine popularity among his Sinhalese voter base

and his eagerness not to appear to be cowing to international pressure may be creating a situation in which he does not understand or refuses to believe the extent to which the international community will react in outrage if GSL troops enter the safe zone forcibly. Ref A outlined suggestions for Department and Mission Geneva to coordinate messages from the international community to get this point across. At the same time, the LTTE remains the most responsible party (by preventing the free exit of civilians) for the condition of the population in the safe zone. Post suggests further coordination in New York, Geneva and relevant capitals to expose LTTE responsibility for keeping civilians in the safe zone and engaging the diaspora to pressure the Tiger leadership to allow them to depart. End Comment  
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